

1 REMARKS

2 Status of the Claims

3 Claims 21-50 are now pending in the application, Claims 1-20 having been previously
4 cancelled, and Claims 21, 30, and 36 having been amended to more clearly define the present
5 invention.

6 Claims Rejected under 35 U.S.C. § 103(a)

7 The Examiner has rejected Claims 21-50 as being anticipated by Doyle et al. (U.S. Patent
8 No. 5,838,906, hereinafter referred to as "Doyle") in view of Held et al. (U.S. Patent No. 5,802,367
9 hereinafter referred to as "Held"). The Examiner asserts that both Doyle and Held teach systems allowing
10 one program to call upon another program to perform an operation on a piece of data. The Examiner
11 concludes that it would have been obvious to one skilled in the art, at the time of the invention, to have
12 combined the teachings of Doyle with those of Held, to provide a method for transparently executing
13 code using a surrogate process (Held, column 3, line 67 – column 4, line 1). Applicants respectfully
14 disagree with the rejection, particularly in view of the amendment to the claims, for the reasons explained
15 below.

16 In the interest of reducing the complexity of the issues for the Examiner to consider in this
17 response, the following discussion focuses on amended independent Claims 21, 30, and 36 and on
18 independent Claim 50. The patentability of each remaining dependent claim is not addressed in detail;
19 however, applicants' decision not to discuss the differences between the cited art and each dependent
20 claim should not be considered as an admission that such dependent claims are not patentable over the
21 cited references. Similarly, applicants' decision not to discuss differences between the prior art and every
22 claim element, or every comment made by the Examiner, should not be considered as an admission that
23 applicants concur with the Examiner's interpretation and assertions regarding those claims. Indeed,
24 applicants believe that all of the dependent claims patentably distinguish over the references cited.
25 However, a specific traverse of the rejection of each dependent claim is not required, since dependent
26 claims are patentable for at least the same reasons as the independent claims from which the dependent
27 claims ultimately depend.

28 Discussion of the Rejection of Independent Claims 21, 30, and 36

29 More specifically, the Examiner asserts that Doyle teaches a design that features a "list of
30 applications," (Doyle, column 15, line 14) and states that the list of applications allows an application

1 to be selected to run along with the original program to provide an output from an input, where the
2 original program alone would be unable to provide the output. In addition, the Examiner indicates
3 that since the list of applications is initiated by the system, there must exist a service manager as
4 claimed by applicants. However, such means are not expressly described within Doyle's design.

5 However, the Examiner further asserts that Held discloses a design allowing a second
6 program or process to be called to assist a first program to perform a desired task on data (column 3,
7 line 65-column 4, line 57). The Examiner also asserts that Held states the existence of a service
8 control manager (which he indicates is equivalent to the service manger) (Held, column 4, line 16).
9 Furthermore, the Examiner asserts that Held teaches how a surrogate process can be called from a
10 first program without reference to an embedded link.

11 Nevertheless, with respect to the first step of independent Claim 21, the third step of
12 independent Claim 30, and the third step of independent Claim 36, significant differences exist
13 between the cited references and applicants' invention because Held and Doyle do not teach or
14 suggest the equivalent of applicants' *service container* (i.e. "...wherein a service manager connects
15 the computer program to *at least one service container* to process the input to obtain the output").

16 First, as set forth in the previous Office Action response, wherein Pratt instead of Held was
17 cited, Doyle and Pratt do not teach or suggest a service manager that connects the computer program
18 to at least one service container. Second, the Abstract of Held discloses that a service control
19 manager is utilized when a client program wishes to access an object of a sharable class or a class of
20 factory objects. More specifically, the service control manager responds by launching a server
21 executable, by returning the location of a server dynamic-link library or by launching a surrogate
22 program as a surrogate process and requesting it to load the server DLL (Held, column 4, lines 16-
23 21). But Held does not teach or suggest a service container that defines the type of unknown content.
24 Note that applicants' service container can be an arbitrary data container (see applicants'
25 specification, page 2, lines 24-25). In addition, this arbitrary data container includes a data object, a
26 code object, and a loader identification (see applicants' specification, page 2, lines 24-26).
27 Furthermore, this arbitrary data container defines a type of content (see applicants' specification,
28 page 2, lines 26- page 3, line 4) such that multiple types of contents can be run by the service
29 manager.

1 Applicants have amended independent Claims 21, 30, and 36 to further clarify these
2 differences by now reciting "..., wherein said at least one service container includes a data object, a
3 code object, and a loader identification that enable definition of the type of content unknown to the
4 computer program."

5 Accordingly, the rejection of independent Claims 21, 30, and 36 under 35 U.S.C. § 103(a)
6 over Doyle and Held should be withdrawn, for the reasons given above, since Doyle and Held do not
7 teach or suggest all of the recitation of independent Claims 21, 30, and 36.

8 Claims 22-29 and 41-43 ultimately depend from independent Claim 21, Claims 31-35 and 44-
9 46 ultimately depend from independent Claim 30, and Claims 37-40 and 47-49 ultimately depend
10 from independent Claim 36. Because dependent claims inherently include all of the steps or elements
11 of the independent claim from which the dependent claims ultimately depend, these dependent claims
12 are patentable for at least the same reasons discussed above with regard to corresponding independent
13 Claims 21, 30, and 36. Accordingly, the rejection of dependent Claims 22-29, 31-35, and 37-49
14 under 35 U.S.C. § 103(a) over Doyle and Held should also be withdrawn.

15 Discussion of the Rejection of Independent Claim 50

16 The Examiner has rejected independent Claim 50 for the same reasons as presented for
17 independent Claim 21. However, significant differences exist between the cited art and applicants'
18 invention because the cited art neither expressly or impliedly teaches or suggests a service container,
19 while Claim 50 recites "defining a plurality of service containers." Although Held discloses a service
20 control manager, Held does not teach or suggest that the service control manager utilizes even a
21 single service container, much less a *plurality of service containers* as recited by applicants'
22 Claim 50. Nor does Held teach or suggest that a service container corresponds to a specific function
23 or that a service container specifically includes a data object, a code object, and a loader
24 identification. Merely asserting that Held teaches how a surrogate process can be called from a first
25 program without reference to an embedded link and the use of a service control manger does not
26 provide a basis for concluding that Held teaches a service container as recited in independent
27 Claim 50 such that the combination of Held and Doyle teach or suggest all of applicants' claim
28 limitation.
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1 Claim 50 also specifically includes the recitation of a data object, a code object, and a loader
2 identification, and as explained above in connection with independent Claims 21, 30, and 36, Held
3 does not teach or suggest any equivalent to a service container that meets this claim recitation.

4 Accordingly, the rejection of independent Claim 50 under 35 U.S.C. § 103(a) over Doyle and
5 Held should be withdrawn, for the reasons given above, since Doyle and Held do not teach or suggest
6 all of the recitation of independent Claim 50.

7 In view of the amendments and Remarks set forth above, it will be apparent that the claims in
8 this application define a novel and non-obvious invention, and that the application is in condition for
9 allowance and should be passed to issue without further delay. Should any further questions remain,
10 the Examiner is invited to telephone applicants' attorney at the number listed below.

11 Respectfully submitted,

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15 Sabrina K. MacIntyre
16 Registration No. 56,912

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